

## **MINUTES**

### **MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By **CHAIRMAN CAROLYN SQUIRES**, on March 7, 2005 at 3:00 P.M., in Room 335 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Carolyn Squires, Chairman (D)  
Sen. Joe Balyeat (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Mike Cooney (D)  
Sen. Jeff Essmann (R)  
Sen. Steven Gallus (D)  
Sen. Rick Laible (R)  
Sen. Dave Lewis (R)  
Sen. Joseph (Joe) Tropila (D)

**Members Excused:** Sen. Jim Shockley (R)  
Sen. Jon Ellingson (D)

**Members Absent:** None.

**Staff Present:** Dave Bohyer, Legislative Branch  
Claudia Johnson, Committee Secretary

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: HB 150, HB 112, 2/23/2005;  
2/23/2005; HB 154, 2/23/2005;  
HB 180, 2/23/2005  
Executive Action: HB 112; HB 150; HB 154

**HEARING ON HB 150**

**Opening Statement by Sponsor:**

**REP. KATHLEEN GALVIN-HALCRO (D), HD 26**, opened the hearing on **HB 150**, Montana flags for caskets of public officials. She said this allows the family of the public official who is to be buried to have a Montana state flag draped over the casket. The family of the official is responsible for providing the flag.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

**REP. GALVIN-HALCRO** closed by asking the Committee to Concur on **HB 150**. She asked **SEN. TROPILA** if he would carry this bill.

**HEARING ON HB 112**

**Opening Statement by Sponsor:**

**REP. JOHN MUSGROVE (D), HD 34**, opened the hearing on **HB 112**, Encourage teleworking. **REP. MUSGROVE** stated that teleworking has been going on for years, but there isn't any place in the statutes that deals with teleworking. This bill will create \$21.6 million in savings. He said the bill is needed for uniformity.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

**SEN. LAIBLE** asked if there are terms for employment while working at home. **REP. MUSGROVE** replied they have signed contracts. He informed the Committee that the liability factor is also in place while employees are teleworking at home.

**Closing by Sponsor:**

REP. MUSGROVE closed. He asked SEN. COONEY to carry the bill.

**EXECUTIVE ACTION ON HB 112**

**Motion/Vote:** SEN. COONEY moved that HB 112 BE CONCURRED IN.  
**Motion carried unanimously by voice vote. SEN. SHOCKLEY and SEN. ELLINGSON voted yes by proxy.**

**HEARING ON HB 154**

**Opening Statement by Sponsor:**

REP. HAL JACOBSON (D), HD 82, opened the hearing on HB 154, Eliminate certain annual reporting requirements for consumer loan businesses. REP. JACOBSON informed the Committee that the Banking Association asked him to carry this bill. The loans affected by this bill are mainly Guaranteed Student Loans (GSL) that go through banks, such as; Wells Fargo, Financial, GMAC, etc. The statutes were written in 1959, and the information is no longer used.

**Proponents' Testimony:**

Mark Prichard, Legal Counsel, Banking Association, informed the Committee that the information in this bill is mainly for the Legislative Auditors. He said that the banks do not keep track of the information requested by the auditors. HB 154 clarifies language that will eliminate certain annual reporting requirements for consumer loan businesses.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

REP. JACOBSON closed. He asked SEN. LEWIS to carry the bill.

**EXECUTIVE ACTION ON HB 150**

**Motion:** SEN. COONEY moved that HB 150 BE CONCURRED IN.

**Discussion:** SEN. COONEY asked Dave Bohyer, LSC, about an conceptual amendment, if language could be inserted that includes "former or current elected official". Mr. Bohyer said that it would clarify language.

**Motion/Vote:** SEN. COONEY moved that the CONCEPTUAL AMENDMENT BE ADOPTED. Motion carried unanimously by voice vote. SEN. ELLINGSON and SEN. SHOCKLEY voted yes by proxy.

**Motion/Vote:** SEN. COONEY moved that HB 150 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. SHOCKLEY and SEN. ELLINGSON voted yes by proxy.

**HEARING ON HB 180**

**Opening Statement by Sponsor:**

REP. BOB LAKE (R), HD 88, opened the hearing on HB 180, Revise certain business filing procedures. REP. LAKE gave written permission for SEN. LAIBLE to open the hearing on HB 180. He stated this is a paperwork reduction bill.

**Proponents' Testimony:**

Mark Simonich, Secretary of State's Office, informed the Committee that HB 180 reduces the amount of paperwork that goes out of the office. Instead of having to stamp, fill out, and file two pieces of paper, only one will be required through this bill. He urged the Committee to concur on HB 180.

**EXHIBIT**(sts50a01)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

SEN. LAIBLE closed. The Committee decided to wait until REP. LAKE could be contacted for executive hearing.

**ADJOURNMENT**

Adjournment: 3:50 P.M.

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SEN. CAROLYN SQUIRES, Chairman

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CLAUDIA JOHNSON, Secretary

CS/cj

Additional Exhibits:

**EXHIBIT ([sts50aad0.PDF](#))**